

**REMARKS**

Claims 1-14 and 21-26 remain in this application, after entry of this amendment. Claims 1-10 and 23-26 have been allowed. Claims 15-20 have been cancelled. Claim 11 was amended herein.

Applicant notes that the Office Action Summary appears to contain two typographic errors in regard to items 4(a) and 8, as claims 15-20, not 11-22, were previously the subject of a restriction requirement and were withdrawn. Claims 15-20 have now been cancelled.

Applicant appreciates the Examiner's indication that claims 1-10 and 23-26 are allowed. Applicant notes that claims 21 and 22 should also be indicated as being allowed as they depend on an allowed claim 1.

**Rejections Under 35 U.S.C. §102(e) and §103(a).**

**Independent Claim 11**

The rejection of claim 11 should be withdrawn as *Kawamura* fails to teach or suggest all the recitations of claim 11 as amended herein and therefore does not anticipate claim 11.

Claim 11 recites, amongst other things, that "the trench extends from a surface of the substrate on which the layer is provided only part of the way through the substrate." This amendment is supported by the specification as filed and adds no new matter.

Claim 11 as amended herein more explicitly defines a trench by reciting a characteristic of the trench, i.e. that it extends from the surface into the substrate, but does not extend through the entire substrate. The "trench" of *Kawamura* does not have these characteristics. As *Kawamura* does not teach or suggest such a trench, *Kawamura* does not anticipate claim 11.

Moreover, as was discussed in the response to the prior office action, the trenches of *Kawamura* are formed on a side of the substrate opposite the ink moving trenches, and the mask for the trenches is also not used as a drop generator component. Simply using the same materials is insufficient, despite the assertion by the Office Action to the contrary, to satisfy the claim as the claim is directed to the manner in which at least one layer of the materials is used (i.e. "as a mask to define the trenches" and "as a drop generator component") and where

the trench mask is opposite the side on which any component is likely to be formed (i.e. the side of thin film layers 22). As such, *Kawamura* does not anticipate claim 11.

Dependent Claims 12-14

Claims 12-14 are not anticipated by *Kawamura* at least because of their dependence on claim 11. The Office Action admits the inadequacy of *Kawamura*, at least in regard to claims 12 and 13, but attempts to overcome such inadequacies by, for claim 12, asserting obviousness in light of the knowledge of one of ordinary skill in the art, and combining *Hawkins* with *Kawamura* for claim 13. However, the combinations proposed by the Office action do not overcome the inadequacies of *Kawamura* in regard to claims 12 and 13.

**Conclusion**

In view of the amendments and remarks, it is respectfully submitted that all the pending claims are in condition for allowance, and such action is earnestly solicited.

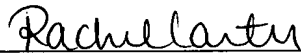
If the Examiner believes an interview would be helpful to advance this case, he is invited to contact the undersigned attorney.

Respectfully submitted,


**SNELL & WILMER L.L.P.**

I hereby certify that this document is being deposited on October 13, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. § 1.8 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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